

110TH CONGRESS
1ST SESSION

S. RES. 22

Reaffirming the constitutional and statutory protections accorded sealed domestic mail, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2007

Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. CARPER, Mr. COLEMAN, and Mr. AKAKA) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs

RESOLUTION

Reaffirming the constitutional and statutory protections accorded sealed domestic mail, and for other purposes.

Whereas all Americans depend on the United States Postal Service to transact business and communicate with friends and family;

Whereas postal customers have a constitutional right to expect that their sealed domestic mail will be protected against unreasonable searches;

Whereas the circumstances and procedures under which the Government may search sealed mail are well defined, including provisions under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), and generally require prior judicial approval;

Whereas the United States Postal Inspection Service has the authority to open and search a sealed envelope or package when there is immediate threat to life or limb or an immediate and substantial danger to property;

Whereas the Postal Accountability and Enhancement Act (Public Law 109–435) expressly reaffirmed the right of postal customers to have access to a class of mail sealed against inspection;

Whereas the United States Postal Service affirmed January 4, 2007, that the enactment of the Postal Accountability and Enhancement Act (Public Law 109–435) does not grant Federal law enforcement officials any new authority to open domestic mail;

Whereas the signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435) issued by President Bush on December 20, 2006, raises questions about the President’s commitment to abide by these basic privacy protections; and

Whereas the Senate rejects any interpretation of the President’s signing statement on the Postal Accountability and Enhancement Act (Public Law 109–435) that in any way diminishes the privacy protections accorded sealed domestic mail under the Constitution and Federal laws and regulations:

Now, therefore, be it

- 1 *Resolved*, That the Senate reaffirms the constitutional
- 2 and statutory protections accorded sealed domestic mail.

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